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June 17, 2020

**Via ECF**

Hon. Edward S. Kiel, U.S.M.J.  
United States District Court for the District of New Jersey  
Martin Luther King Jr. Bldg. & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

Re: Rensselaer Polytechnic Institute v. Samsung Electronics America, Inc. et al.  
2:19-cv-20097 (KM-ESK)

Dear Judge Kiel:

In accordance with Your Honor's Pretrial Scheduling Order (ECF #37), on behalf of Plaintiff Rensselaer Polytechnic Institute ("Rensselaer"), the undersigned writes, jointly with counsel for Defendants Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd (together "Samsung"), to advise Your Honor of the status of the instant action in advance of the June 22, 2020 telephonic status conference.

On March 20, 2020, the parties exchanged Fed. R. Civ. P. 26(a)(1) Initial Disclosures. On April 9, 2020, the parties submitted a joint proposed discovery confidentiality order (ECF #41), which the Court entered on April 13, 2020 (ECF #42). The parties have reached agreement on a proposed ESI protocol, which will be submitted to the Court for its consideration.

On May 1, 2020, pursuant to two extensions sought by RPI as ordered by the Court (ECF ## 44 and 46), Rensselaer served its L. Pat. R. 3.1 Disclosure of Asserted Claims and Infringement Contentions and L. Pat. R. 3.2 document production. Samsung's L. Pat. R. 3.2A Non-Infringement Contentions and Responses, L. Pat. R. 3.3 Invalidity Contentions, and L. Pat. R. 3.4 Document Production are due on July 31, 2020, pursuant to the same orders referenced above. Under the Pretrial Scheduling Order, the original deadlines for Rensselaer's Infringement Contentions and Samsung's Non-Infringement and Invalidity Contentions were April 13, 2020 and July 13, 2020, respectively. (*See* ECF #37 at 2.)

On June 1, 2020, pursuant to Fed. R. Civ. P. 33 and 34, Rensselaer served Interrogatories and Requests for Production of Documents and Things on Samsung. Samsung's responses to these discovery requests are due on July 1, 2020.

No motions are currently pending. With regard to other issues to be addressed, the parties, at this time, believe that there will be a need to extend downstream deadlines resulting from the earlier extensions, as ordered by the Court on April 15, 2020, and April 30, 2020. As reflected in those orders, Rensselaer's deadline to serve its Infringement Contentions required extensions totaling eighteen days due to Rensselaer's counsel experiencing technological issues resulting from the coronavirus pandemic. Rensselaer agreed to Samsung's requests for corresponding extensions of its deadlines to serve Non-Infringement and Invalidity Contentions. However, subsequent deadlines have not yet been addressed – including deadlines that follow lockstep under the local patent rules – particularly Rensselaer's Responses to Invalidity Contentions and Accompanying Document Production as well as the various Claim Construction deadlines. The parties plan to meet and confer, and will continue to cooperate to modify these remaining dates to the extent necessary.

HILL WALLACK LLP  
ATTORNEYS AT LAW

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We thank the Court for its attention to this matter and look forward to discussing these and any other issues during the status conference.

Respectfully submitted,

/s/ Eric I. Abraham

ERIC I. ABRAHAM

cc: All Counsel of Record (via ECF and e-mail)